

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-VS-

KENTY RAMONE FIELDER,

Defendant.

Case No. 1:20-CR-2027-SAB-1**CRIMINAL MINUTES****DATE: MAY 10, 2022****LOCATION: YAKIMA, WA****SENTENCING HEARING**

Chief Judge Stanley A. Bastian			
Michelle Fox Courtroom Deputy	03 Law Clerk	Interpreter	Marilynn McMartin Court Reporter
Tyler Tornabene Government Counsel		Jeremy Sporn Defense Counsel	
United States Probation Officer: Carrie Valencia			

☒ **Open Court**☐ **Chambers**☐ **Telecon**

Defendant present with counsel and in custody of the US Marshal.

Court addresses counsel. Defendant pled guilty to Count 2 and 5. Court summarizes maximum penalties and guidelines. Court has reviewed all of the materials submitted and presentence report. Consecutive sentence for the counts.

J. Sporn presents argument on objections.

Court addresses paragraph 53. The information is correct however in the plea agreement, it outlines a paragraph about lesser amount. Court strikes paragraph 53.

J. Sporn indicates that paragraph 54 is the same.

Court takes the same approach. Court strikes paragraph 54. -16 points.

J. Sporn presents argument on trust. Court questions counsel. J. Sporn continues argument. Court still sees as a special skill.

Court gives preliminary ruling and asks if the government disagrees.

T. Tornabene presents argument on objections. Do not disagree with a clarification.

[X] ORDER FORTHCOMING**CONVENED: 2:30 P.M.****ADJOURNED: 3:40 P.M.****TIME: 1 HR. 10 MIN.****CALENDARED [X]**

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Court addresses paragraph 57. T. Tornabene presents argument. Court finds that the 2-level enhancement does apply. Paragraph 54 is stricken. Paragraph 53 is changed from 14 to 2.

T. Tornabene presents argument and outlines recommendations. Restitution \$14,220.17.
Court questions counsel. T. Tornabene responds.

J. Sporn presents argument and outlines recommendations. Recommend facility in Georgia at FCI Jesup.
Court speaks to the defendant.

Defendant speaks to the Court.

Court asks counsel about First Step Act Credits.
J. Sporn believes it may apply to defendant.

Court speaks to the defendant. Court outlines the 3553 factors.

Imprisonment: Count 2 – 16 months. Count 5 – 24 months. Total of 40 months. Consecutive sentence for count 5. Credit for time served.

Supervised Release: 3 years, with the standard conditions and the following special conditions:

1. If you pose a risk to another person or an organization, the probation officer may seek permission from the court to require you to notify that person or organization about the risk. If the court approves, you must provide the notification. The probation officer may contact the person or organization to confirm that you have provided the proper notification.
2. You must not be self-employed, nor shall you be employed by friends, relatives, or associates, unless approved in advance by the supervising officer. You must not work for cash and must provide proof of earnings as required by your supervising officer.
3. You must provide the supervising officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office. You must disclose all assets and liabilities to the supervising officer. You must not transfer, sell, give away, or otherwise convey any asset, without the advance approval of the supervising officer.
4. You must surrender or make available for review, any documents and/or business records, requested by the supervising officer.
5. You must not incur any new debt, open additional lines of credit, or enter into any financial contracts, without the advance approval of the supervising officer.
6. The defendant shall report to the Probation Office any and all electronic communications service accounts [as defined in 18 U.S.C. § 2510(15)] used for user communications, dissemination and/or storage of digital media files (i.e. audio, video, images). This includes, but is not limited to, email accounts, social media accounts, and cloud storage accounts. The defendant shall provide each account identifier and password, and shall report the creation of new accounts, changes in identifiers and/or passwords, transfer, suspension and/or deletion of any account within 5 days of such action. Failure to provide accurate account information may be grounds for revocation. The Probation Office is permitted to access and search any account(s) using the defendant's credentials pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his supervision and that the account(s) to be searched contain evidence of this violation.

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SPA: \$100.00

Fine: Waived

Court will recommend placement at FCI Jesup in Georgia.

Waiver of right to appeal discussed.

Will sign the Order of Forfeiture.

T. Tornabene will submit a Final Money Judgment Order.

Restitution: \$14,220.17

J. Sporn indicates there are counts to be dismissed.

T. Tornabene moves to dismiss remaining counts. Court will dismiss counts.